

UNITED STATES DISTRICT COURT

for the
Southern District of West Virginia

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

289Y Fairview Drive
Charleston, West Virginia

Case No. 2:10-mj-00008

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

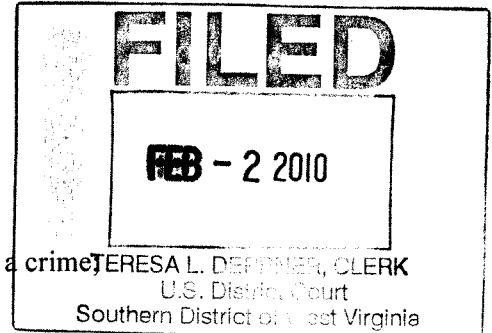
289Y Fairview Drive, Charleston, West Virginia, a single family residence with tan siding & brown roof. See Attachment A, photograph of residence.

located in the Southern District of West Virginia, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.



The search is related to a violation of:

| Code Section | Offense Description |
|--------------|---|
| 21:841(a)(1) | Distribution of a quantity of marijuana for remuneration. |

The application is based on these facts: See attached Affidavit.

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Monica L. Dillon
Applicant's signature

Monica L. Dillon, AUSA
Printed name and title

Sworn to before me and signed in my presence.

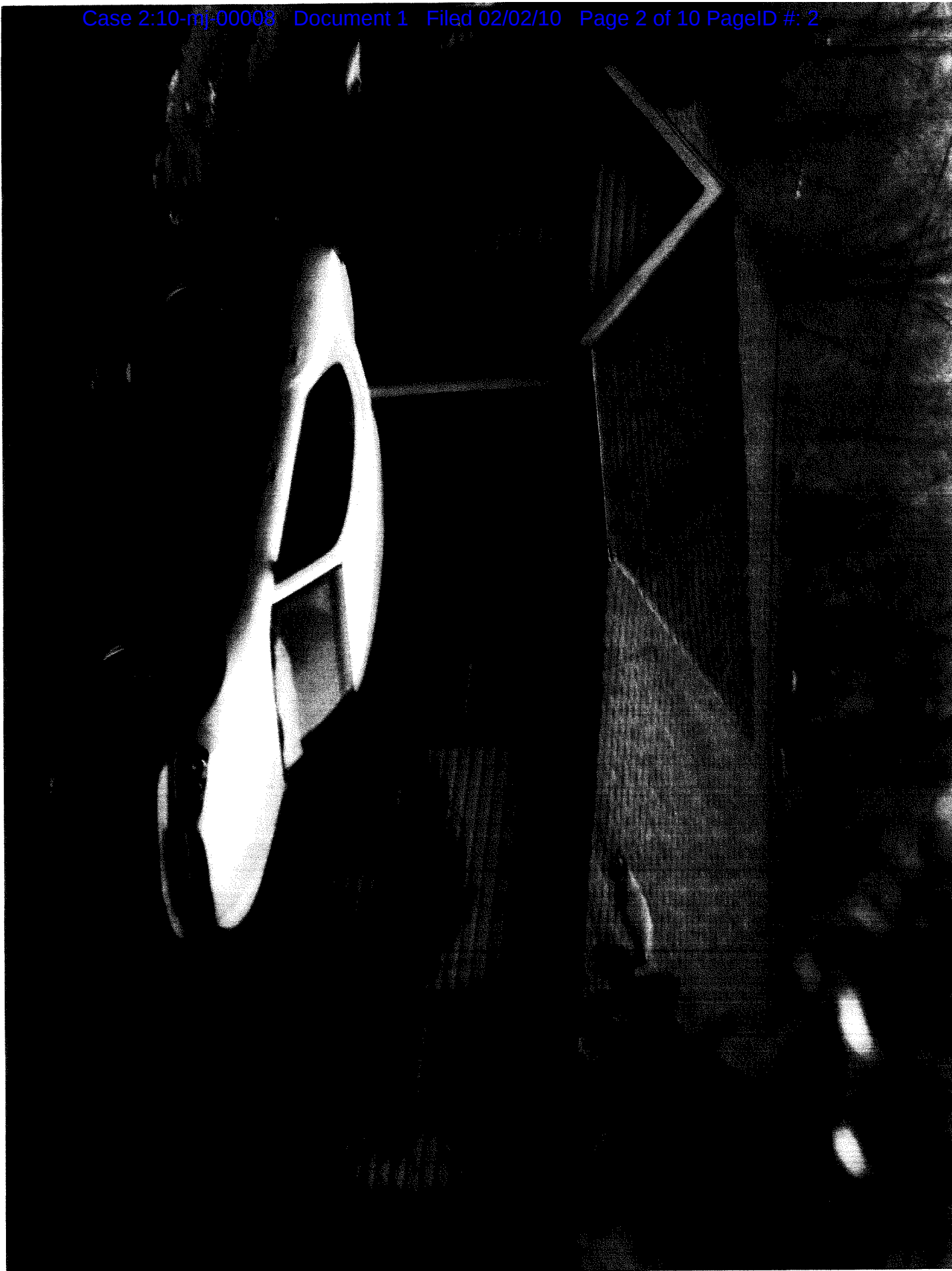
Date: Jan 25, 2010

City and state: Charleston, WV

Mary E. Stanley
Judge's signature

Honorable Mary E. Stanley
Printed name and title

Attachment A



ATTACHMENT B

1. Controlled substances, including, but not necessarily limited to marijuana.
2. Financial and business records, including, but not limited to, books, records, ledgers, journals, receipts, notes, memoranda, address books, and telephone books.
3. Titles, books, records, receipts, bank statements and records, money drafts, letter of credit, money order and cashier's checks, receipts, passbooks, bank deposit tickets, safe deposit box keys, and memoranda and other items evidencing the obtaining, secreting, transfer and/or concealment of assets and the obtaining, secreting, transfer, concealment, and/or expenditure of money.
4. United States currency, precious metals, jewelry, safes, and financial instruments, including, but not limited to, stocks and bonds.
5. Drug ledgers and/or records relating to drug trafficking and drug debts.
6. Paraphernalia for packaging, weighing, and distribution of controlled substances, including, but not limited to, scales, storage containers, and plastic bags.
7. Firearms and security devices.
8. Photographs which could include identifying information regarding individuals involved in the sale of controlled substances and the subject money laundering.

A F F I D A V I T

STATE OF WEST VIRGINIA

COUNTY OF KANAWHA, to-wit:

I, K. J. Allen, being first duly sworn, do hereby depose and state as follows:

1. Since August of 2007, I have been employed as a South Charleston Police Officer. In April of 2009, I was assigned to work as a detective with the Metropolitan Drug Enforcement Network Team (MDENT).

2. During the course of my law enforcement career, I have attended and completed training in the field of narcotics enforcement. This included an in-depth and comprehensive study into the various types of illicit drugs, including the identification of CDS and packaging and distribution techniques. I have received specialized instruction in the use of informants, informant information, making controlled narcotic purchases, and the use of surveillance equipment and techniques. I have also written and executed search warrants for narcotics, dangerous drugs, weapons, and the records, books, and proceeds, which are associated with this illicit activity. Furthermore, I have arrested numerous individuals for violations of state and federal narcotics statutes.

3. The information contained in this affidavit is based on my investigation and the investigation and reports of other officers.

4. On April 28, 2009, Mike Meadows ("Meadows") was arrested for possession with intent to deliver marijuana. During a

subsequent interview, Meadows stated that an individual named **Roger Hudson** (also known as "Beard") buys large amounts of marijuana from Edwin Douglas and Chelsea Bradshaw ("Bradshaw"). According to Meadows, **Roger Hudson** has been a major marijuana dealer for many years, and buys upwards of 100 pounds of marijuana from Edwin Douglas and Bradshaw at a time.

5. On May 14, 2009, Jason Bowen ("Bowen") was arrested for driving on a suspended license. During a subsequent interview, Bowen stated he had recently been involved in a fight with **Roger Hudson** in which **Roger Hudson** had "pistol whipped" him with a small silver in color handgun. According to Bowen, the fight had started when Hudson had accused Bowen of breaking into his house. Bowen further stated that **Roger Hudson** commonly carries a pistol with him. Bowen further stated that **Roger Hudson** has been smoking marijuana as long as they have known each other.

6. On June 20, 2009, at approximately 1000 hours, I interviewed Bradshaw pursuant to her written plea agreement. Bradshaw pled guilty to conspiracy to distribute 50 kilograms or more of marijuana.

Bradshaw stated that in mid 2008, Bowen introduced her to **Roger Hudson**. Bradshaw then began supplying **Roger Hudson** with marijuana. Bradshaw stated that in 2008 she had shipped **Roger Hudson** two loads of marijuana through UPS. One of the loads, weighing approximately sixty pounds, was intercepted in Phoenix, Arizona, and a controlled delivery was made to 800 Kanawha

Boulevard Charleston, West Virginia. Rocky Ray, Roger Hudson's cousin attempted to accept delivery of the package on behalf of **Roger Hudson**, and was subsequently arrested. Bradshaw stated that there had been another package that contained forty pounds of marijuana, which had made it through to **Roger Hudson**. In total, Bradshaw estimated that she and Edwin Douglas had supplied **Roger Hudson** with approximately eight hundred pounds of marijuana. Bradshaw stated that she had made a deal with **Roger Hudson** that she would supply him with (his) marijuana at cost of \$600.00/pound, if he would sell additional marijuana for her at \$1500.00/pound. **Roger Hudson** agreed to this and would supply Bradshaw with U.S. currency prior to her going to Phoenix, Arizona to obtain the marijuana. Through Western Union receipts and airline tickets, officers have been able to corroborate information provided by Bradshaw.

7. Bradshaw also recalled one instance where she saw **Roger Hudson** with an AK-47 type rifle in his residence on 6th Avenue in Charleston, West Virginia. Bradshaw stated that **Roger Hudson's** girlfriend is Rebecca Felty. Bradshaw has positively identified **Roger Hudson** through a DMV photograph.

8. On July 22, 2009, I conducted a trash pull at 1521 6th Avenue, Charleston, West Virginia. This is the residence of **Roger Hudson** and his girlfriend, Rebecca Felty. I have personally observed vehicles commonly driven by **Roger Hudson** and Rebecca Felty parked in front of this residence on a regular basis since

approximately June of 2009. In addition, a cooperating witness in this case has identified this residence as being occupied by **Roger Hudson** and Rebecca Felty.

9. During the trash pull, I retrieved two black trash bags that were located in plastic trash cans next to the alley directly behind the house. Although not a regularly scheduled trash day, the trash bags were set out in a manner which led me to believe that they were being discarded.

10. After obtaining the trash bags, I put them into my vehicle and transported them back to the MDENT office. Once at the office, myself and Detective M. Petty began sorting through the trash. Inside of the bags, we located suspected marijuana roaches and stems. In addition, we located a zip lock sandwich bag which contained suspected marijuana residue. Also in the same trash bag was a package of JOB 1.25 rolling papers. The suspected marijuana roaches and marijuana residue from the zip lock bag field tested positive for marijuana.

11. In addition to the above mentioned items, myself and Detective Petty located various bills and envelopes addressed to Rebecca Felty at 1521 6th Avenue, Charleston, West Virginia.

12. On August 6, 2009, at approximately 0200 hours, I conducted a trash pull at 1521 6th Avenue, Charleston, West Virginia. During the trash pull, I retrieved two black trash bags that were located in plastic trash cans next to the alley directly behind the house. The trash bags were set out in a manner which led me to believe that they were being discarded. In addition, I have

verified that Friday is the regularly scheduled trash day for this address.

After obtaining the trash bags, I put them into my vehicle and transported them back to the MDENT office. Once at the office I began sorting through the trash. Inside one of the bags, I located the corner of a plastic bag which contained suspected marijuana seeds and stems. In addition, I located two zip lock sandwich bag which contained suspected marijuana residue. Also in the same trash bag were two packages of JOB rolling papers. The suspected marijuana residue was not field tested due to an insufficient amount. However, based on my training and experience, the residue was consistent with what I know to be marijuana.

13. In addition to the above mentioned items I located a letter from Everest University addressed to Rebecca Felty at 1521 6th Avenue, Charleston, West Virginia.

14. On October 7, 2009, I received information that **Roger Hudson** had moved to 289Y Fairview Drive in Charleston, West Virginia. After driving on Fairview Drive, I noticed a 2003 white Ford Expedition bearing West Virginia registration 2HR331, registered to Rebecca Felty, parked in front of a residence believed to be 289Y Fairview Drive, Charleston, West Virginia.

15. On January 25, 2010, at approximately 0430 hours, I conducted a trash pull at 289Y Fairview Drive, Charleston, West Virginia. This is the residence of **Roger Hudson** and his girlfriend, Rebecca Felty. I have personally observed vehicles commonly driven by **Roger Hudson** and Rebecca Felty parked in front of this residence

on a regular basis since approximately December of 2009. In addition, I have personally observed **Roger Hudson** and Rebecca Felty standing in front of this residence on multiple occasions, with the most recent occasion being on January 24, 2010.

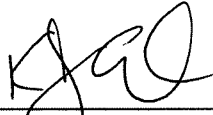
16. During the trash pull, I retrieved four black trash bags that were located in plastic trash cans next to road in front of the house. The trash bags were set out in a manner which led me to believe that they were being discarded. In addition, I have verified that Monday is the regularly scheduled trash day for this address.

17. After obtaining the trash bags, I put them into my vehicle and transported them to South Charleston Police Department. Once at South Charleston Police Department I began sorting through the trash. Inside one of the bags, I located half of a plastic bag which contained suspected marijuana residue. In addition, I located a portion of a sandwich bag that had been tied in a knot which contained suspected marijuana residue. Also in the same trash bag were two packages of rolling papers. Additionally, I located approximately four marijuana roaches, along with marijuana stems. The suspected marijuana field tested positive.

18. In addition to the above mentioned items I located a Victoria Secret bill addressed to Rebecca Felty at 1521 6th Avenue, Charleston, West Virginia. I also discovered other paper documents addressed to Rebecca Felty.


19. Based on the above, your affiant submits there is probable cause to believe that additional amounts of controlled substances, specifically, marijuana are contained within the residence located at 289Y Fairview Drive, Charleston, West Virginia and respectfully requests that this Court issue a Search Warrant for the residence.

Further, your affiant sayeth not.



K.J. ALLEN
Task Force Officer
MDENT

Subscribed and sworn to before me this 25th day of January, 2010.



Honorable Mary E. Stanley
United States Magistrate Judge
United States District Court
Southern District of West Virginia
Charleston Division